

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

CAP CITY DENTAL LAB, LLC,

Plaintiff,

vs.

Civil Action 2:15-cv-2407  
Judge Frost  
Magistrate Judge King

RICHARD LADD, et al.,

Defendants.

REPORT AND RECOMMENDATION

This case was removed to this Court on June 12, 2015. Doc. No. 2. It does not appear that service of process has been completed on Britney Ladd, Global Dental Services, or Northwood Dental Labs of Central North Carolina. On December 14, 2015, plaintiff was ordered to show cause, within fourteen (14) days, why the claims against these defendants should not be dismissed, without prejudice, for failure to effect timely service of process. *Order*, Doc. No. 45. There has been no response to that order.

Accordingly, it is **RECOMMENDED** that the claims against Britney Ladd, Global Dental Services, and Northwood Dental Labs of Central North Carolina be **DISMISSED**, pursuant to Fed. R. Civ. P. 4(m), for failure to effect timely service of process.

If any party seeks review by the District Judge of this *Report and Recommendation*, that party may, within fourteen (14) days, file and serve on all parties objections to the *Report and Recommendation*, specifically designating this *Report and Recommendation*, and the part

thereof in question, as well as the basis for objection thereto. 28  
U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). Response to objections  
must be filed within fourteen (14) days after being served with a copy  
thereof. Fed. R. Civ. P. 72(b).

The parties are specifically advised that failure to object to  
the *Report and Recommendation* will result in a waiver of the right to  
*de novo* review by the District Judge and of the right to appeal the  
decision of the District Court adopting the *Report and Recommendation*.  
*See Thomas v. Arn*, 474 U.S. 140 (1985); *Smith v. Detroit Fed'n of*  
*Teachers, Local 231 etc.*, 829 F.2d 1370 (6th Cir. 1987); *United States*  
*v. Walters*, 638 F.2d 947 (6th Cir. 1981).

December 29, 2015

s/Norah McCann King  
Norah M<sup>c</sup>Cann King  
United States Magistrate Judge